

CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983

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UCL 27 2021

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA

KEVIN WEIMER, Clerk  
By: Neowen Deputy Clerk

Derek J. Burns 1000060918

(Enter above the full name and prisoner  
identification number of the plaintiff, GDC  
number if a state prisoner.)

1:21-CV-4473

Cobb County, Georgia <sup>VS</sup> Lisa Wells;  
Lindsay Raynor, Global TEL\*  
Link Corporation, a Delaware Corp  
Does 1-10, Sheriff Neil Warren  
(Enter above the full name of the defendant(s).)

I. Previous Lawsuits

A. Have you filed other lawsuits in federal court while incarcerated in any institution?

Yes ( ) No (✓)

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

2. Court (name the district): \_\_\_\_\_

3. Docket Number: \_\_\_\_\_

I. Previous Lawsuits (Cont'd)

4. Name of judge to whom case was assigned: \_\_\_\_\_
5. Did the previous case involve the same facts?  
Yes ( ) No ( )
6. Disposition (Was the case dismissed? Was it appealed? Is it still pending?):  
\_\_\_\_\_  
\_\_\_\_\_
7. Approximate date of filing lawsuit: \_\_\_\_\_
8. Approximate date of disposition: \_\_\_\_\_

II. Exhaustion of Administrative Remedies

Pursuant to 28 U.S.C. § 1997e(a), no prisoner civil rights action shall be brought in federal court until all available administrative remedies are exhausted. Exhaustion of administrative remedies is a precondition to suit, and the prisoner plaintiff must establish that he has exhausted the entire institutional grievance procedure in order to state a claim for relief.

A. Place of Present Confinement: Cobb County Jail

B. Is there a prisoner grievance procedure in this institution?

Yes (✓) No ( )

C. Did you present the facts relating to your complaint under the institution's grievance procedure?

Yes (✓) No ( )

D. If your answer is YES:

1. What steps did you take and what were the results?

Filed grievance on November 1<sup>st</sup>  
2018 and was never provided with a  
response

2. If your answer is NO, explain why not: \_\_\_\_\_

III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank.)

A. Name of Plaintiff: Derek J. Burns 1000060918

Address(es): 470 S Broad St, Abbeville, GA  
31001

(In item B below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Do the same for each additional defendant, if any.)

B. Defendant(s): <sup>①</sup>Lindsay Raynor, <sup>②</sup>Lisa R. Wells, <sup>③</sup>Neil Warren

Employed as <sup>①</sup>Assistant District Attorney, Investigator,  
<sup>③</sup>Sheriff  
at <sup>①</sup>Cobb County, <sup>②</sup>Cobb County, <sup>③</sup>Cobb County

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

See Attachment titled "IV Statement of Claim"

## 10

## Relief

State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.

See attachment titled "V Relief"

[illegible]

V: Relief (Cont'd)

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Singed this 18 day of October, 2021.


  
Signature of Plaintiff

STATE OF Georgia  
COUNTY (CITY) OF Wilcox

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED ON 10/18/2021  
(Date)

(Date)

  
Signature of Plaintiff

#### IV. Statement of Claim

1. During jury trial in Cobb County Superior court, on 10/24/18<sup>19</sup> Cobb County Law enforcement officer and investigator Lisa Wells, while under oath stated that she had listened to mutiple attorney client priviledged conversations between Derek Burns and his attorney of record Daniel Daugherty(see Jury Trial Transcript pgs. 537-538).
2. The following day, at the hearing on the motion for mistrial, Cobb County Assistant District Attorney Lindsay Raynor stated that she also listened to the contents of the attorney client protected conversations and went on to disclose the substance of said calls for the court (see Jury Trial Transcript pgs. 696-705).
3. Lindsay Raynor also stated on the record that an unnamed supervisor to Lisa Wells as well as Cobb County Assistant District Attorney Shep Orlow had in fact been informed that attorney client privilege protected conversations were in the prosecution's possession and likewise had been reviewed.
4. The above facts clearly establish mutiple intentional violations of Derek Burns' 1st, 4th, 6th, and 14th Amendment US Constitutional Rights.
5. Concurrently, the above mentioned violations were committed with clear intent of indifference towards Derek Burns for at no point before trial were any corrective measures made to neither sever the tainted participation of Lisa Wells in further proceedings involving Derek Burns nor communicate the existence of the ongoing violations to Derek Burns, defense counsel, or the presiding Judge assigned to the case thereof, prior to the commencement of the jury trial.
6. At all times each defendant acted under color of state law.

## V. Relief

1. There are no countervailing benefits to violating the Constitutional Civil rights of the people and citizens of the State of Georgia and the defendants will remain free to continue their despicable conduct unless restrained.
2. This court should order Cobb County to cease and desist and void the contract between Cobb County and Global Tel\*Link Corporation.
3. This court should order Defendants Cobb county and Global Tel\*Link to implement security measures to prevent law enforcement from continuing to monitor, listen and record attorney-client calls.
4. This court should order Global Tel\*Link to be removed from all Cobb County jails, facilities, courthouses, and juvenile detention facilities.
5. This court should order the Cobb County District Attorney and her investigators, attorneys, and all employees under her authority to immediately cease and desist in listening and monitoring attorney-client phone calls.
6. This Court should order Defendant Lindsay Raynor to report the acts and omissions of Lindsay Raynor to the State Bar of Georgia concerning her monitoring and listening to attorney-client privileged phone calls.
7. This Court should order Defendant State Bar of Georgia to immediately suspend and revoke the oaw liscense of Defendant ADA Lindsay Raynor.
8. This Court should order Defendant Georgia Peace Officers Standard Training Council to revoke the peace officer certifications of Defendant Lisa Wells.
9. This court should order the Georgia Secretary of State to revoke the Corporation license of the Defendant Global Tel\*Link Corporation for their willful and flagrant disregard for the Constitutional rights of the plaintiff.

10. For declaratory judgement that Defendant Sheriff Neil Warren allowed and continues to allow law enforcement to record and monitor attorney-client protected calls.
11. For declaratory judgement that the Defendants Cobb County, Lisa Wells, Lindsay Raynor violated Plaintiff's rights under the Fourth and Fourteenth Amendments to the United States Constitution.
12. For declaratory judgement that the Defendant Global Tel\*Link Corporation has violated Plaintiff's rights under the fourth and fourteenth amendments to the United States Constitution by allowing law enforcement to review, monitor and record attorney-client calls.
13. For permanent injunction prohibiting the Defendants Cobb County, Cobb County District Attorney, and her assigned employees in the Cobb County Districts Attorney's office to immediately stop listening to attorney client phone calls.
14. For permanent injunction prohibiting Cobb County Sheriff Neil Warren from continuing to allow law enforcement to record and monitor attorney-client calls without a warrant or judicial authorization to do so.
15. For a permanent injunction prohibiting Defendant Cobb County to continue to have a valid inmate telephone contract between Cobb County and Global Tel\*Link Corporation.
16. For a permanent injunction ordering Defendant Global Tel\*Link Corporation to stop allowing its telephone systems to monitor and record attorney-client calls between inmates and licensed attorneys.
17. For a permanent injunction order directing Cobb County to remove Defendant Global Tel\*Link Corporation from all Cobb County facilities.
18. For a jury trial on all requested declaratory and injunctive relief.
19. For an award of compensatory damages according to proof.
20. For an award of punitive damages against each Defendant for the amount of \$ 3,000,000.00.



21. For special damages according to proof.
22. For an award of all costs of this lawsuit.
23. For an order of this Court granting all of the requested declaratory and injunctive relief.
24. A declaration that the acts and omissions described herein violated plaintiff's rights under the constitution and laws of the United States.
25. In addition to actual damages, statutory damages as allowed by law.
26. For an award of all costs of litigation; and
27. Any and other further relief as this Court deems just and proper.